Application No.: 10/803,113
Docket No.: UC0223USCIP

Remarks

Status of the Application

Claims 1-7 and 22 are pending.

Applicants acknowledge the Examiner's withdrawal of the statutory double patenting rejection and the rejection over Gardener et al., U.S. Patent 5,716,550.

Double Patenting Rejection

Claims 1-7 and 22 were provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-16 of co-pending application Serial No. 10/669,577. A terminal disclaimer is submitted concurrently herewith. Applicants respectfully submit that this rejection has been overcome and request that it be withdrawn.

Rejection under 35 U.S.C. § 102

Claims 1-7 and 22 were rejected under 35 U.S.C. § 102(b) as being anticipated by Kirmanen et al., U.S. Patent 5,585,038 ("Kirmanen"). Applicants respectfully traverse this rejection.

Applicants' invention, as recited in Claim 1, is a composition which is (i) an aqueous dispersion comprising (ii) at least one polyaniline and (iii) at least one colloid-forming fluorinated polymeric acid. The composition of Kirmanen is a polyaniline doped with a protonic acid and mixed with a metal compound and a neutralizing compound.. The composition may further contain a plasticizing agent and may be blended with a thermoplast, such as polyethylene, polystyrene, etc. Applicants' respectfully submit that while the composition of Kirmanen does contain polyaniline (ii), there is no disclosure or suggestion of an aqueous dispersion (i) or of a colloid-forming fluorinated polymeric acid (iii). There is also no definition in the reference for the doping acid, but it is to be noted that the form "polymer-doping protonic acid" is used in Kirmanen (see, e.g., claim 1). As stated in the Abstract, the polyaniline or derivative is "doped with a protonic acid". Accordingly, from this and the reference generally, and simple grammatical logic, the acid is not polymeric; rather, the acid is one that dopes polymers.

With respect to (i), the compositions of Kirmanen are solids which are mixed and

extruded alone and with other thermoplastic polymers. There is no teaching or suggestion of a stable aqueous dispersion.

With respect to (iii), the composition of Kirmanen includes protonic acids and optionally plasticizing agents and thermoplastic polymers, but none of these materials is a colloid-forming fluorintated polymeric acid. The protonic acids described by Kirmanen include "HCl, H_2SO_4, HNO_3, $HCLlO_4$, HBF_6, HF, phosphoric acids, sulfonic acids, picrinic acid, m-nitrobenzoic acid, dichloroacetic acid, and *polymeric acids*." (col. 7, lines 1-4 of Kirmanen, emphasis added) The first acids listed are inorganic and not polymeric. The organic acids listed, except for the last entry, are neither polymeric nor fluorinated. The generic term "polymeric acid" gives no indication as to whether or not it is fluorinated or colloid-forming. The only protonic acid exemplified was dodecylbenzene sulfonic acid, which is not colloid-forming, polymeric, or fluorinated. There is no teaching or suggestion here to use a colloid-forming fluorinated polymeric acid with polyaniline, as in Applicants' claims.

The plasticizing agents described by Kirmanen include "water, alcohols, ethers, ketones, phenols, amines, esters, fluorinated carboxylic and sulfonic acids, amides, phosphoramides, etc." (col. 7, lines 20-25 of Kirmanen). There is no teaching or suggestion that any of these materials are polymeric or colloid-forming. The only plasticizing agents exemplified were water, C_1-C_3 alcohols, and mixtures thereof. There is no teaching or suggestion here to use a colloid-forming fluorinated polymeric acid with polyaniline, as in Applicants' claims.

The thermoplastic polymers described by Kirmanen include "a homo- or copolymer which is based on an olefin, a homo- or copolymer which is based on styrene or a derivative thereof, a vinyl homopolymer or vinyl copolymer, a thermoplastic condensation polymer, or a mixture of these." (col. 16, lines 14-19 of Kirmanen) There is no teaching or suggestion that these polymeric materials are acids or fluorinated. There is no teaching or suggestion here to use a colloid-forming fluorinated polymeric acid with polyaniline, as in Applicants' claims.

Applicants respectfully submit that Kirmanen does not teach or suggest Applicants' invention as recited in the claims, and request that this rejection be withdrawn.

Conclusion

Applicants respectfully submit that the rejections have been overcome and solicit a notice

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of allowance. Should the Examiner have questions, the Examiner is invited to call the undersigned at the telephone number listed below.

Respectfully submitted,

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